

Finance, Legislation and Planning Committee Meeting (FLAP)
Virginia Office of EMS | 1041 Technology Park Drive | Glen Allen, Virginia
Friday, August 13, 2010
9:00 a.m.

Members Present:	Members Absent:	Staff:	Others:
Gary Dalton		Tim Perkins	Gary Samuels
Michael Player		Gary Brown	Carol Lee Strickler
Art Lipscomb		Michael Berg	Karen Wagner
Rob Logan		Warren Short	Kim Johnson
Mike Harmon		Marian Hunter	Billy Altman
Kent Weber			Wayne Peer
Ed Rhodes			David Hoback
			Jason Campbell

Topic/Subject	Discussion	Recommendations, Action/Follow-up; Responsible Person
Opening	Mr. Gary Dalton called the meeting to order. The minutes from Friday, February 12, 2010 were reviewed and moved to later part of agenda for approval once a quorum was present. Once a quorum was present the minutes were reviewed and approved.	Motion to approve the minutes from the February 12, 2010 meeting made by Art Lipscomb. Seconded by Rob Logan. The Committee voted unanimously to approve the minutes from the February 12 meeting.
OEMS Update State EMS Strategic Plan: Final	Mr. Tim Perkins provided an update on the State EMS Strategic Plan. (Mr. Dalton said that there were a number of online comments that were insightful and had to do more with the processes rather than the plan, i.e. training, rules and regulations.) Mr. Perkins stated that between the end of May and middle of July they received comments; a couple of comments that required a change to the following objectives; 4.1.4 <i>“Develop and maintain statewide pre-hospital and inter-hospital ST Elevation Myocardial Infarction (STEMI) triage plan.”</i> Because of the language with the stroke triage plan, it was also important to include some language about the STEMI Triage Plan in strategic initiative 4.1. Mr. Perkins also indicated a change to the wording of objective 3.3.1 was needed to make it clearer. The following alternative wording to objective 3.3.1 was recommended; <i>“Assist with, and promote, the compliance of all emergency medical radio systems with state and federal regulations for narrow banding and interoperability.”</i>	Action item today for the Committee to approve the draft Plan and present to BoH for their approval at their October 15 meeting. Motion to approve the changes to the State EMS Strategic Plan made by Michael Player. Seconded by Ed Rhodes. The committee voted unanimously to approve the changes to the State EMS Strategic Plan and present it at the Virginia Board of Health meeting in October.
EMS Related Legislation: Potential Legislative Initiatives for 2011	Virginia Department of Health has already put together their legislative packet for 2011. Requests from the state EMS Advisory Board to look into changing the language in regard to variances required to be signed and voted on by legislative body of a county or city.	

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<p>Potential Code language amendment pertaining to process for variances/exemptions to the EMS Regulations</p>	<p>Mr. Ed Rhodes came up with the following draft language changes and additions for §32.1-111.9 <i>Applications for variances or exemptions</i>:</p> <p>§32.1-111.9 Section A, “Prior to the submission to the Commissioner of Health by an agency or government entity licensed or certified by the Office of Emergency Medical Services of an application for a variance, or to the Board of Health for an exemption from any regulations promulgated pursuant to this chapter, the application of the agency or government entity shall be reviewed by the governing body or by the local government chief administrator of the jurisdiction in which the principal office, or government entity, is licensed or certified by the Office of Emergency Medical Services is located. The recommendation of the local governing body or by the local government chief administrator regarding the variance or exception shall be submitted with the application; and, the Commissioner or Board, whichever is appropriate, shall consider that recommendation for the purpose of granting or denying the variance or exemption.</p> <p>§32.1-111.9 Section B “ A provider, who is certified by the Office of Emergency Medical Services, or certification candidate, applying for a variance, is not required to have his application reviewed by the local governing body, but shall have the recommendation of the agency head that he is affiliated with and the Operational Medical Director of that agency. This shall be submitted with the application for granting or denying the variance or exemption to the Commissioner of Health. The non-affiliated provider shall provide a recommendation from their local government administrator. The applicant shall have the right to appeal any denial by the Commissioner or Board of an application for a variance or exemption pursuant to the Administrative Process Act. (§2.2-4000 et seq.).</p> <p>Mr. Rob Logan moves to strike the last sentence in paragraph B. Seconded by Michael Player. Motion carries to delete the sentence from paragraph B and create a paragraph C that includes sentence with words from local government administrator and OEMS provider. Motion to reconsider Rob Logan’s original motion to strike the last sentence in paragraph B carried.</p> <p>Mr. Gary Brown states that if you’re not affiliated then you’re not eligible to put in for a variance or exemption. If you’re not affiliated then you don’t fall under the Office of EMS’ regulations and therefore cannot put in for a variance or exemption.</p> <p>Mr. Gary Dalton states that the FL&P Committee will report this to the EMS Advisory Board as an action item for the Board to consider endorsing and it’s something that will have to be carried forth and cannot be considered as part of the Virginia Department of Health’s legislative package.</p>	<p>Rob Logan moves to strike the last sentence in paragraph B. Michael Player seconds.</p> <p>Committee supports amendment to strike paragraph B sentence. Rob Logan motions. Seconded by Art Lipscomb.</p> <p>Ed Rhodes offered an amendment to Rob’s motion to create a paragraph C with amended verbiage. Seconded by Mike Harmon. Amendment to Rob Logan’s motion approved. All in favor, Kent Weber abstains. Motion is passed.</p> <p>Gary Dalton motions to strike sentence. Add Section C. Ed Rhodes moves to delete sentence and begin paragraph B and make paragraph C withdrawn.</p> <p>Michael Player moves to reconsider. Seconded by Mike Harmon. All in favor. Motion carries to reconsider.</p> <p>Motion to strike the last sentence in paragraph B by Rob Logan. Seconded by Mike Harmon. Motion carries to strike the sentence. All in favor.</p> <p>Action item for state EMS Advisory Board to endorse.</p>

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State Budget Bill – Potential Revisions related to VSP Medflight Operations Funding.	FL&P has no motions or discussions by the group regarding these revisions. The state EMS Advisory Board is already aware of the State Budget Bill. This bill is left to the stakeholders group for discussion.	Stakeholders group will discuss this budget bill.
Four for Life Funding Distribution to VAVRS	<p>Mr. Jason Campbell spoke about the possibility of changing the way the \$4 for Life Funds are distributed to VAVRS. He stated that his beliefs on this issue come from being a member of the state EMS Advisory Board and having a responsibility to make sure that funds coming into the EMS system are utilized appropriately and efficiently and also come forth with ways to better use the funds.</p> <p>Two questions to address: Should VAVRS be the only non-profit organization that's named in the Code of Virginia \$4 for Life funds? If yes, should we take steps to make sure that the funds are being utilized appropriately?</p> <p>The Office of EMS transfers \$4 for Life funds to VAVRS on a quarterly basis. VAVRS helps to develop some training and rescue programs, some of which are developed jointly with the Virginia Dept of Fire Programs or independently. Programs developed in partnership with Fire Programs or the Office of EMS are seen as a duplication of services. Other than those two items, where does the rest of the money go? We received a balance sheet from VAVRS at the state EMS Advisory Board meeting, but it didn't tell us what the outcomes of that money going to VAVRS was being used for. All the money that comes down from \$4 for Life has performance measures attached to them, except for VAVRS and MedFlight State Police. I'd like to see them move toward a system that shows outcomes of monies that goes to VAVRS and how the money is being utilized.. Is there some better way to track or show accountability for the money? What's the possibility of putting together a small group of people to look at how to better distribute the money to VAVRS or how to develop performance measures to make sure that the money going to VAVRS is being utilized effectively?</p> <p>Mr. Gary Brown stated that Code language requires the portion of \$4 for Life designated for return to localities must be used for EMS training, equipment and supplies. There are guidelines for use of Return to Locality money. Localities routinely request to use money to purchase Toughbooks and ask if that is a legitimate use of Return to Locality money. OEMS reviews guidelines and require a report from localities, and if we don't get that report then subsequent payments aren't made until the reports are received. Based on the Code language we could request additional information from VAVRS. We can't speak on behalf of VAVRS but we don't see them having any problems reporting numbers because their annual report to the Board of Governors has detailed stats in regard to the number of training programs, the number of people trained and other information. There's not an issue on the distribution of monies.</p> <p>Mr. Gary Dalton stated that it's not for the committee to comment. All of the information that is mentioned is available for the asking. What's been requested in the past historically is a financial balance sheet. Performance measures should be expected when accepting public funds, scrutiny should</p>	

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	<p>be expected when accepting public funds, and the money should be used for what the public wants you to use it for when accepting public funds. To carry it forward it would be in the hands of the Virginia Office of EMS.</p> <p>Rob Logan makes a motion: The Committee requests the Office of EMS to review and recommend improvements to the VAVRS reporting requirements relating to the provision of more detailed output information.</p> <p>Michael Player stated that the EMS system has spoken numerous times, decided and presented its argument at the General Assembly that this one non-profit organization is important to the Virginia EMS system because of the number of agencies that utilize their services. The idea of reporting outcome measures is problematic because there's poor evidence on outcome based reporting and it is not required of any other element of the system at this time. All of the reports over the years have been an accounting toward goals and output. Nobody in the system is required to report outcome, they're reporting output.</p> <p>Art Lipscomb stated that if we want to start examining how the money is spent we ought to continue to work together and get the people on the hill to give us the money rather than looking at one of our agencies within. Asking for performance reports is fine, but asking for performance measures would probably not be a good idea. VAVRS does a commendable job and offers a wonderful service to its members and tax payers.</p> <p>Ed Rhodes stated that VAVRS is not relegated to just volunteers; they cover volunteers, career or anyone that wants to take the class. They just have to be affiliated with an agency to take a class with VAVRS. All of the courses are developed by VAVRS. Performance standards fall right back on the citizens in local government to rescue squads and lifesaving squads in localities. If they don't perform in the localities then the local governments get involved. They're all recognized by a local government so they have to perform. Volunteer fire departments don't have reporting standards; they don't even have minimum training standards. When VAVRS does a Rescue College they have to pay EMS and VDFP to come in and teach a class.</p> <p>Mr. Gary Brown stated the language in the Code relating to \$4.25 for Life, "Two percent shall be distributed to the state Department of Health to provide funding to VAVRS to be used solely for the purpose of conducting volunteer recruitment, retention and training activities." In terms of Code it doesn't define the fiscal year because VAVRS is on a calendar year.</p> <p>Mr. Gary Dalton stated that "time" in regards to reporting should be considered if this motion is passed.</p> <p>Mr. Rob Logan states that whatever OEMS develops in regards to reporting improvements should</p>	<p>Rob Logan makes a motion. The Committee requests that the Office of EMS review and recommend improvements to the VAVRS reporting requirements relating to the provision of more detailed output information. Seconded by Michael Player. All in favor. Motion carried.</p>

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	<p>come back to this Committee as an information item.</p> <p>Mr. Gary Brown would like to request to meet with Gary Dalton and Bubby Bish, since they are Board representatives for VAVRS and work with them to have a review of the information that OEMS collects and work on additional information or data that needs to be collected.</p> <p>Mr. Michael Player stated that before we take one part of the system and put a series of requirements on them that we have not placed on the remainder of the system, it's not appropriate. Lets see the outputs of the use of this funding rather than the balance sheet or how it was spent. That's what we do with everyone else, that's appropriate and the motion allows them to do that. In this very public venue with public funds we ought to include everyone in the audit trail so we have good data.</p> <p>Mr. Gary Brown supports what Mike says. This has been a debate within the system for many years.</p>	
PUBLIC COMMENT	None.	
Unfinished BUSINESS	Response to Dr. Foster and Needs Assessment, it will be put aside because there's no funding.	
NEW BUSINESS	<p>Art Lipscomb had three topics to discuss, including fundraising efforts, the next Stakeholders Meeting and three legislative bills that have been approved.</p> <p>The Governor selected quite a few distinguished people to start fundraising for Virginia's public safety memorial. Check the Secretary of Public Safety's Web site to see what the memorial will look like. The next Stakeholders Meeting is September 15, 2010 at 10 a.m. in the Patrick Henry Building East Reading Room.</p> <p>At the May meeting our membership approved three bills this year including Line of Duty. There's a budget amendment that pushed the funding for Line of Duty out of the general fund and onto localities. This puts the whole system in jeopardy and brings other problems into question. After meeting with the Secretary of Public Safety, the Governor has requested a position paper and will meet with us later and hopefully do a budget amendment. We're asking all groups to sign off on a position paper to reverse the budget amendment.</p> <p>Pension Bills have changed the age of retirement, now you must be 60 years old and have 30 years of service to retire. There's an exemption for public safety workers to retire at 55 years old.</p> <p>The bill to move the Office of EMS to Public Safety is ready to go. Everything will remain the same except the Office of EMS will become the Department of EMS and the state EMS Advisory Board will become a governing board rather than an advisory board. This bill is part of a reform package and involves patrons. Anytime you dial 911 it should be public safety responding. OEMS shouldn't be a subgroup; it should be its own agency. It's a matter of functionality and where OEMS is best suited. The Director of this new Department of EMS would become a political appointee.</p>	

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	<p>Mr. Rob Logan stated that the Regional EMS Directors Committee discussed this issue of moving OEMS at their last committee meeting. They also discussed this as an informal topic of discussion with Dr. Levine, Dr. Remley and Secretary Decker. The Regional EMS Directors Group will develop a position and solicit stakeholder comments on the issue during the month of August. They will determine whether or not the issue can be fixed by the Commissioner of Health or if it can be fixed by moving the Office of EMS to Public Safety. They will turn the information collected into a white paper from the Regional EMS Directors Group.</p> <p>Mr. Michael Player stated that we should be pursuing what's broken or what should be fixed and where the Office should move to. There's a lot more that puts us in the realm of public safety. Regardless of where we fall our connections with the Department of Health and fostering those relationships is important. Citizens look at us differently than our government and it's a mismatch that needs to be corrected.</p> <p>Mr. Art Lipscomb stated that this bill will be approached with the constraints of trying to correct problems. If the bill is proposed to be moved under the Fire Marshall or under someone else so the Office of EMS remains an Office rather than a Department then the bill will get pulled. It's imperative that the Office of EMS is its own Department.</p>	
Meeting dates for 2010 (TBD)	A tentative date of Friday, September 24, 2010 at 1 p.m. at the VAVRS Convention. Date will be changed if this Committee can meet during the Summit. Gary Dalton will notify every one of those dates if/and when they're changed.	
Adjournment	The meeting was adjourned at approximately 11:30 a.m.	